



Docket No. 04 -MM-09 (MST 1221)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Bateman, et al**  
Filed: **March 10, 2004**  
For: **Mass Spectrometer**

Serial No.: 10/797,242

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**CERTIFICATE OF MAILING UNDER 37 CFR 1.8 (a)**

I hereby certify that the attached correspondence is being deposited with the United State Postal Service, as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Oct. 12, 2004.

  
.....  
Anthony J. Janiuk

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR BEFORE  
MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

In accordance with the provisions of 37 CFR 1.56 and 1.98, Applicants wish to bring the following publications, references cited and/or patents on the attached PTO-1449 form to the attention of the Examiner:

This IDS is being filed under 37 C.F.R. § 1.97 (b).

**REMARKS**

Applicant and his attorney are aware of the following publications and information, listed on the enclosed PTO Form 1449. In accordance with the provisions of 37 C.F.R. § 1.97(b), this statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required.

### REMARKS

It is anticipated that the Examiner will conduct a thorough search of the prior art and will carefully consider each of the said documents cited herein.

It is respectfully requested that each of the documents shown on the attached substitute form for PTO-1449 / PTO/SB08A be made of record in this application. Copies of these documents are enclosed herewith.

Early examination and allowance of the present application are respectfully solicited.

### FEE AUTHORIZATION

Under 37 C.F.R. § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR § 1.17(p) to our Deposit Account No. 23-0503.

A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Anthony J. Janiuk, Esq.

Reg. No.: 29,809

Dated: Oct. 12, 2004

Tel. 508-482-2714

Fax. 508-482-2320

CUSTOMER NO. 000043840



First Class Mail

**Waters**

October 12, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

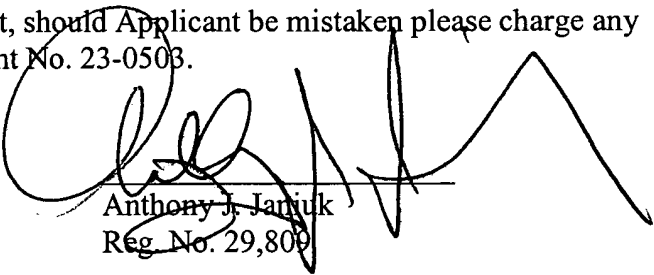
Re: U.S. NonProvisional Patent Application  
Serial No. 10/797,242  
Filed: March 10, 1002  
Applicant: Bateman, et al  
Attorney Docket No. ~~04~~-MM-09 (MST 1221)

Dear Sir:

1. First Class Mail Certificate / Transmittal Letter
2. Transmittal Form – PTO/SB21
3. Transmittal Information Disclosure Statement by Applicant
4. Information Disclosure Statement by Applicant  
Substitute for form 1449/PTO – PTO/SB/08A
5. Copies of references – AA, BB, BC and BD
6. Prepaid Return Postcard

No fees are due at this time. But, should Applicant be mistaken please charge any necessary fees to our Deposit Account No. 23-0503.

CUSTOMER NO. 000043840

  
Anthony J. Janiuk  
Reg. No. 29,809

.....  
**CERTIFICATE OF TRANSMISSION/MAILING**  
under 37 CFR 1.8 (a)

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Date: Oct. 12, 2004

  
Anthony J. Janiuk



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/797,242
Filing Date	March 10, 2004
First Named Inventor	Robert Harold Bateman
Art Unit	2877
Examiner Name	unknown
Attorney Docket Number	04-MM-09 (MST 1221)

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table or: CD  <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): X Copies of References AA, BB, BC and BD X Prepaid Return Postcard
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	WATERS CORPORATION		
Signature			
Printed name	Anthony J. Janiuk, Esq.		
Date	Oct. 12, 2004	Reg. No.	29,809

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Anthony J. Janiuk, Esq.	Date	Oct. 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Docket No. 04-MM-09 (MST 1221)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant: **Bateman, et al**  
Filed: **March 10, 2004**

Serial No: **10/797,242**  
Art Unit: **2877**

Entitled: **Mass Spectrometer**

Examiners Initials	CITE No.	U.S. Patent	Name of Patentee or Applicant of Cited Document	Date of Patent Issued/Published	Class/Subclass
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**United States Published Patent**

___	AA	US2002/0030159 A1	Chernushevich, et al	Mar. 14, 2002	250/287
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**United Kingdom Patents**

___	BB	GB 2 394 356	Bateman, et al	21.04.2004
___	BC	GB 2 392 006	Bateman, et al	18.02.2004
___	BD	GB 2,388 248	Bateman, et al	05.11.2003

Date Considered: \_\_\_\_\_

\_\_\_\_\_  
Examiners Signature